



IN THE DISTRICT COURT OF COMANCHE COUNTY
STATE OF OKLAHOMA

STATE OF OKLAHOMA
Comanche County
FILED in the
Office of the Court Clerk

CHELSEA J. KANDOLL,

Plaintiff,

vs.

THE TOWN OF FLETCHER, a municipality
in the State of Oklahoma; FLETCHER
POLICE DEPARTMENT; DUSTIN
WILSON, both individually and in his capacity
as officer of Fletcher Police Department.

Defendants.

Case No. CJ-2023-

385

AUG 08 2023

By mm
Deputy

PETITION

COMES NOW Chelsea J. Kandoll ("Plaintiff"), for her Petition against Defendants The Town of Fletcher, a municipality in the State of Oklahoma; Fletcher Police Department; Corporal Dustin Wilson, individually and in his capacity as officer of Fletcher Police Department. (collectively "Defendants") allege and state as follows:

1. The Town of Fletcher is a municipality in the State of Oklahoma with its principal place of business in Fletcher, Comanche County, Oklahoma.
2. Fletcher Police Department is a public trust and/or political subdivision of the Town of Fletcher, State of Oklahoma.
3. Dustin Wilson is an individual residing in the State of Oklahoma and is also being sued in his capacity as officer of Fletcher Police Department.
4. Plaintiff at the time of the incident identified herein was a resident of State of New Hampshire, but has since relocated and at the present time is a resident of Comanche County, State of Oklahoma. The actions/inactions complained of herein and the damages sustained as a result occurred in Comanche County, Oklahoma. Jurisdiction and venue are proper in this Court.

5. On or about March 4, 2022 in Fletcher, Oklahoma Petitioner sustained injuries caused by the deliberate acts of Dustin Wilson both in his capacity as a Fletcher Police Department officer and in his individual capacity. Plaintiff suffered from assault and battery by Defendant Dustin Wilson, causing her damages in excess of \$75,000.00. The Town of Fletcher and Fletcher Police Department trained, hired, retained, and/or granted officer privileges to Defendant Dustin Wilson. The Town of Fletcher and Fletcher Police Department were negligent in the hiring and training of Dustin Wilson, causing Plaintiff to suffer from damages and injuries.

6. Plaintiff suffered injuries and damages as a result of the Defendants' breach of duties owed to Plaintiff under her civil rights and liberties. Defendants' used excessive force causing a break to Plaintiff's arm. Plaintiff has already incurred medical expenses related to Defendants' negligence and recklessness, and related to Defendants' use of excessive force in violating her civil liberties. Plaintiff will likely continue to incur medical expenses over the course of Plaintiff's lifetime for the issues likely to arise from her condition caused by Defendants, and suffer permanent damages and disfigurement. Additionally, Plaintiff has experienced and will continue to experience significant pain, suffering, fear, mental, and emotional trauma. That as a direct result of such breach, negligence, gross negligence, and reckless disregard, Plaintiff was severely injured and suffered, continues to suffer, and will in the future suffer damages, pain of both mind and body, and emotional distress, including scarring. Plaintiff suffered from missed work and lost wages and incurred additional medical expenses for follow up care and treatment hospitalizations and in home care.

7. That the facts and evidence will show at trial that Defendants' actions were intentional, malicious, and/or in reckless disregard of Plaintiff's rights, giving rise to liability for punitive damages pursuant to Okla. Stat. tit. 23 § 9.1.

8. WHEREFORE, Plaintiff seeks judgment against Defendants for an award of actual and compensatory damages in an amount in excess of \$75,000.00, as well as punitive or exemplary damages in an amount in excess of \$75,000.00, along with interest, court costs, attorney fees, and all other relief to which Plaintiff may be entitled and/or that the Court deems just and proper.

**ATTORNEY LIEN CLAIMED
JURY TRIAL DEMANDED**

Respectfully submitted,



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-and-

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